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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION

18 UNITED STATES OF AMERICA,) No. CR 09-00487 RMW
19 Plaintiff,)
20 v.)
21 ALBERT KE-JUNG HU,)
22 Defendant.)
23

24 WHEREAS, the defendant ALBERT KE-JUNG HU is scheduled to appear before this
25 Court on Monday, March 18, 2013, for a hearing on restitution in the above-entitled action;

26 WHEREAS, both counsel for the United States are likely to be unavailable on March 18,
27 2013, as AUSA Fazioli is currently in a trial in another matter in the San Jose Division of this
28 District that is expected to continue through the week of March 18, 2013, and AUSA Lucey will
likely be required to be in the San Francisco courthouse of this District for the initial appearance
on another matter on March 18, 2013;

29 WHEREAS, the parties have determined that there is a need for a continuance in order to
30 permit continuity of counsel;

31 **STIPULATION AND [] ORDER**
32 **CR 09-00487 RMW**

WHEREAS, the parties have conferred and determined that Monday, April 15, 2013, at 9:00 a.m., is an available and agreeable date for the Court's calendar and the calendar of all counsel;

THEREFORE, the parties jointly request and stipulate that the sentencing in this matter be continued until **Monday, April 15, 2013, at 9:00 a.m.** As this matter relates to the defendant's cooperation, the parties jointly request that it be filed and maintained under seal, except that copies may be provided to counsel for each party.

IT IS SO STIPULATED:

DATED: 3/8/2013

/s/
JERRY FONG
Attorney for ALBERT KE-JUNG HU

DATED: 3/8/2013

/s/
TIMOTHY J. LUCEY
Assistant United States Attorney

IT IS SO ORDERED.

DATED: 10/10/04

Ronald M. Whyte
HON. RONALD M. WHYTE
United States District Judge

**STIPULATION AND [] ORDER
CR 09-00487 RMW**